THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 15007 OF 2005

DATED: 22-08-2005

Between

Ameena Begum, W/o. late Habeeb,

Hussain Al-Attas, Muslim, Aged 55 years,

R/o. 3-5-782/65, Kingkoti, Hyderabad.

..... PETITIONER

And

The Station House Officer, Narayanaguda

Police Station, Narayanaguda, Hyderabad.

..... RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 15007 OF 2005

ORDER:

The grievance of the petitioner in this writ petition is that the respondent is not investigating into the offence alleged in Crime No. 553 of 2004 of Narayanaguda Police Station, Hyderabad.

Counter affidavit has been filed by the respondent – Sub Inspector of Police, Narayanaguda Police Station, wherein it has been stated that Crime No. 553 of 2004 was registered under Section 506 IPC, four witnesses including the complainant were examined and on completion of the investigation charge sheet was filed before the Court of XVII Metropolitan Magistrate, Hyderabad on 08-07-2005. It is further stated that the petitioner's grievance of non-inclusion of Section 420 IPC is not tenable since the ingredients of Section 420 are not present and it was wrongly mentioned in the last page of the F.I.R which is a mistake. The respondent admits the delay in compliance with the order of this Court in W.P No. 10045 of 2004 dated 14-07-2004 whereunder he was directed to register the complaint and conduct necessary investigation and file necessary report before the concerned Magistrate within six weeks from the date of receipt a copy of the order. The respondent submits that the delay in filing the charge sheet was neither wilful nor deliberate and tenders his unconditional apology for the delay in filing the

charge sheet.

In view of the fact that charge sheet has been filed before the XVII Metropolitan Magistrate on 08-07-2005, the cause in the writ petition does not survive and the same is accordingly dismissed. Needless to state that this order shall not preclude the petitioner from availing such remedies as may be available to him in law. There shall be no order as to costs.

_____

22..08..2005

ks